



**FOLEY
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ATTORNEYS AT LAW

April 5, 2004

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By Hand

Ms. Mary L. Cottrell
Secretary
Department of Telecommunications & Energy
One South Station
Boston, MA 02110

Re: D.T.E. 03-83
Petition of USGen New England, Inc.

Dear Ms. Cottrell:

On behalf of USGen New England, Inc. ("USGenNE"), I enclose for filing in the above-referenced docket one original and one copy of USGenNE's Supplemental Response 2 to Information Request DTE-1-3.

Kindly date stamp the enclosed copy of this letter, and return same to our messenger.

Thank you for your attention to this matter.

Sincerely,

Mary Beth Gentleman

MBG:jrd
Enclosures

cc: Selma Urman, Hearing Officer (9 copies)
Diedre Matthews, Director, Siting Division (1 copy)
William Febiger, Technical Director, Siting Division (1 copy)
Jolette Westbrook, General Counsel, Siting Board (1 copy)
Amy Barad, Analyst, Siting Division (1 copy)
Louis M. Arak, Project Manager (1 copy)
Service List

FHBoston/1030727.2

USGen New England, Inc.
Salem Harbor Station
DTE 03-83
Information Request DTE-1-3
(Supplemental Response 2)
Person Responsible: Joseph Correnti, Esq.
Date: April 5, 2004

DTE-1-3: Please provide transcripts of any meetings of the Salem Planning Board or other City of Salem permitting or regulatory entities concerning the proposed project. If transcripts are unavailable, please provide the minutes of such meetings.

Response: During the adjudicatory hearing on January 13, 2004, the Company provided copies of the Planning Board minutes for meetings held on September 18, 2003 and October 2, 2003, which were marked as Exhibits USGenNE-6 and USGenNE-7. On March 24, 2004, the Company provided original certified minutes of the Planning Board meetings from all meetings at which the project was discussed, except the November 6, 2003 meeting. The Company now attaches the minutes from the November 6, 2003 meeting.

Salem Planning Board
Minutes of Meeting
Thursday, November 6, 2003

2004 APR -2 A 8: 28

A regular meeting of the Salem Planning Board was held on Thursday, November 6, 2003 in the third floor conference room at 120 Washington Street, Salem, Massachusetts at 7:00 p.m.

Those present were: Chairman Walter Power, John Moustakis, Gene Collins, Chuck Puleo, Pam Lombardini, Ellen DiGeronimo, Paul Durand, David Weiner and Christine Sullivan. Also present were Staff Assistant Valerie Gingrich, and Eileen Sacco, Clerk.

Continuation of Public Hearing – Site Plan Review – 24 Fort Avenue USGEN New England

Atty. Joseph Correnti addressed the Board and introduced Ernie Greer of US GEN to address the Board.

Mr. Greer explained the delivery routes of trucks during the construction process and noted that they are expecting large pre-assembled deliveries to the site. He noted that they would follow the same rules that they now do for regular deliveries to the plant. He also noted that they will schedule deliveries so as not to interfere with the ships that deliver to the plant on a regular basis.

Walter Power noted that they are planning to build a trench between SESD and the power plant and asked if they anticipate any blasting. Mr. Greer explained that they do expect some blasting, however they do not know exactly how much blasting will be necessary. Mr. Power asked what rules they would be following regarding water treatment at the site. Mr. Greer explained that they would be using Massachusetts regulations as they do now and the water would be release via the sewer system. He noted that they would be reviewing this with the Salem Water and Sewer department.

Walter Power expressed his concern about the increase of traffic on Webb Street during the construction period. He noted that the intersection of Webb and Derby Streets is very busy and heavily traveled. The Board held a discussion on the possibility of increased police details during the construction period. Walter Power suggested increasing the amount of stop signs in the area. Atty. Correnti stated that they would be reviewing this with Captain Callahan of the Salem Police Department and would agree to conditions regarding traffic control at peak construction times.

John Moustakis expressed his concern about the traffic on North Street and suggested that they consider having the trucks come into Salem through Beverly onto Bridge Street and Fort Avenue. Mr. Greer noted that the vendors for the project are not lined up yet but they will continue to work with the Department of Public Works and the Police Department on that.

Walter Power noted that the surface on Derby Street and Webb Street is rough and the applicant should do pre-construction patching and consider resurfacing the roads at the completion of the project. Atty. Correnti stated that they will look into that with the Department of Pubic Works.

Denise McClure addressed the Board and noted that a full time Clerk of the Works for the project will help with their concerns.

Walter Power stated that he would like to see the plans call for the use of street sweepers to keep the dust down in the neighborhoods. Atty. Correnti agreed and noted that they will be going to the Board of Health before the next meeting and that is usually a condition that they place on large projects. Walter Power also stated that he would like to see a condition that requires the washing of trucks on a daily basis as well.

Walter Power opened the hearing up for public comment at this time. There was no one present who wished to comment on the project.

There being no further questions or comments this evening a motion was made by John Moustakis to continue the public hearing to November 20, 2004, seconded by Ellen DiGeronimo and approved.

Continuation of Public Hearing – Site Plan Review – 8-10 Broadway – Dilisio Brothers Landscaping and Masonry Supply, Inc.

Atty. George Atkins addressed the Board and noted that they have no new information to present on the project.

Walter Power opened the hearing up for public comment at this time.

Ward Three Councillor Joan Lovely addressed the Board and thanked the developer for cooperating with the neighbors. She expressed her support for the project.

Valerie Gingrich reviewed a draft decision with the Planning Board.

There being no further questions or comments regarding the project a motion was made by John Moustakis to approve the draft decision for Dilisio Brothers Landscaping, seconded by Paul Durand and approved.

Continuation of Public Hearing – Waiver from Frontage Requirement – 12 Buena Vista Avenue West – J.G.G. Realty Trust

Atty. Scott Grover addressed the Board and reviewed the plans. He noted that they have been working with the Board on this and would like a decision this evening if possible.

Walter Power stated that the plans are in order and asked if any of the members had questions or comments.

Walter Power opened the hearing up for public comment at this time. There was no one present who wished to comment on this application.

John Moustakis moved to approve the waiver from frontage for 12 Buena Vista Avenue, seconded by Ellen DiGeronimo and approved.

Continuation of Public Hearing – Site Plan Review — 93-95 North Street / 5 Mason Street – Salvation Army of Massachusetts

Atty. Joseph Correnti addressed the Board and reviewed the changes that have been made to the plan since the last meeting. He noted that the changes involve the proposed fence for the property. He also explained that they propose concrete sidewalks, which need to be approved by the City Engineer.

Atty. Correnti reviewed the lighting plan for the site noting the emphasis is in the back of the building in the parking area. He also noted that they are considering a gate for the property, which could be as simple as a chain, or an operable gate.

Walter Power opened the hearing up for public comment at this time. There was no one present who wished to speak on the matter.

There being no further questions or comments regarding this matter a motion was made by John Moustakis to close the public hearing, seconded by Gene Collins and approved.

Valerie Gingrich reviewed the draft decision for the project with the Board.

There being no further questions or comments regarding this matter a motion was made by Gene Collins to approve the draft decision for the Salvation Army project, seconded by Ellen DiGeronimo and approved unanimously.


Continuation of Public Hearing – Site Plan Amendment – Stutz Volvo – 309 Highland Avenue / 4-5 Greenledge Street – Stutz Plaisted

Walter Power read a letter from Atty. Jack Keilty requesting that the matter be continued to November 20, 2004. John Moustakis moved to continue the public hearing to November 20, 2004, seconded by Gene Collins and approved.

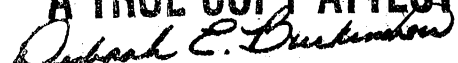
There being no further business to come before the Salem Planning Board at this meeting a motion was made by Chuck Puleo to adjourn the meeting, seconded by John Moustakis and approved.

The meeting was adjourned at 9:00 p.m.

Respectfully submitted by:



Eileen M. Sacco, Clerk
Salem Planning Board
PB110603

A TRUE COPY ATTEST

CITY CLERK
SALEM, MASS.